

**BEFORE  
THE PUBLIC STAFF COMMISSION OF  
SOUTH CAROLINA**

**DOCKET NO. 2018-319-E**

IN THE MATTER OF: )

Application of Duke Energy Carolinas, LLC )  
for Adjustments in Electric Rate Schedules )  
and Tariffs and Request for Accounting )  
Order )

**MOTION FOR ADMISSION  
*PRO HAC VICE***

South Carolina State Conference of the NAACP, South Carolina Coastal Conservation League, and Upstate Forever (collectively the "Intervenors") hereby move the Public Commission of South Carolina (the "Commission") to permit David L. Neal to practice *pro hac vice* before the Commission in the above-captioned matter.

Pursuant to SCACR 404, Mr. Neal, together with counsel of record, has filed a Verified Application for *Pro Hac Vice* with the South Carolina Supreme Court. Attached hereto is a stamped copy of the Verified Application as filed with the Supreme Court.

WHEREFORE, as the provisions set forth in SCACR 404 have been satisfied, the Intervenors request this motion be granted.

This the 1<sup>st</sup> day of March, 2019.

/s/ Stinson Ferguson  
Stinson Ferguson,  
Attorney for Intervenors  
Southern Environmental Law Center  
463 King Street, Suite B  
Charleston, SC 29403  
(843) 720-5270  
[sferguson@selcsc.org](mailto:sferguson@selcsc.org)

## CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that on this day she served upon the parties of record a copy of the Motion for Admission *Pro Hac Vice* in connection with the above matter via electronic mail to the following:

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Carri Grube-Lybarker  
SC Department of Consumer Affairs  
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This the 1<sup>st</sup> day of March, 2019.

/s/ Stinson Ferguson  
Stinson Ferguson

**VERIFIED APPLICATION FOR ADMISSION *PRO HAC VICE*  
IN THE STATE OF SOUTH CAROLINA**

Public Service Commission of South Carolina

In the Matter of:

Application of Duke Energy Carolinas, LLC  
for Adjustments in Electric Rate Schedules  
and Tariffs and Request for an Accounting Order

Docket No. 2018-319-E

**RECEIVED**  
FEB 19 2019  
S.C. SUPREME COURT

Mailing Address of Tribunal:

101 Executive Center Drive, Suite 100  
Columbia, SC 29210

COMES NOW, David Lybrook Neal, applicant herein, and respectfully represents the following:

1. The Applicant resides at:

323 W. Queen Street  
Hillsborough, NC 27278  
Telephone: (919) 732-2156

2. Applicant is an attorney and a member of the law firm of (or practices law under the name of) Southern Environmental Law Center, with offices at 601 W. Rosemary Street, Chapel Hill, Orange County, North Carolina, 27516.

Telephone: (919) 967-1450  
Facsimile: (919) 929-9421  
E-mail: [dneal@selcnc.org](mailto:dneal@selcnc.org)

3. Applicant has been retained personally or as a member of the above-named law firm by:

South Carolina State Conference of the NAACP;  
South Carolina Coastal Conservation League; and  
Upstate Forever

to provide legal representation in connection with the above cases now pending before the above-named tribunal of the State of South Carolina.

4. Since August of 2001, applicant has been, and presently is, a member in good standing of the bar of the highest court of the District of Columbia or the State of North Carolina where the applicant regularly practices law. Attached is a certificate of good standing



dated within the last 90 days from the bar of the highest court of the District of Columbia or the State where the applicant regularly practices law.

5. Applicant has been admitted to practice before the following courts: (List all of the following courts applicant has been admitted to practice before: United States District Courts; United States Circuit Courts of Appeals; the Supreme Court of the United States; and courts of other states or the District of Columbia.)

COURT:	DATE ADMITTED:
North Carolina state courts	August 24, 2001
US District Court for the Eastern District of North Carolina	September 1, 2006
US District Court for the Middle District of North Carolina	December 2, 2007
Fourth Circuit Court of Appeals	December 1, 2008

Applicant is presently a member in good standing of the bars of those courts listed above, except as listed below:

N/A

6. Applicant presently is not subject to any suspension or disbarment proceedings, and has not been formally notified of any complaints pending before a disciplinary agency, except as provided below:

N/A

7. Applicant never has had any application for admission *pro hac vice* in this or any other jurisdiction denied or any *pro hac vice* admission revoked, except as provide below:

N/A

8. Applicant never has had any certificate or privilege to appear and practice before any court or administrative body suspended or revoked, except as provided below:

N/A

9. Local counsel of record associated with applicant in this case is Stinson Ferguson of the Southern Environmental Law Center law firm which has offices at 463 King Street, Suite B, Charleston, Charleston County, South Carolina 29403.

Telephone: (843) 720-5270  
 Facsimile: (843) 414-7039  
 E-mail: [sferguson@selcsc.org](mailto:sferguson@selcsc.org)  
 SC Bar #: 79871

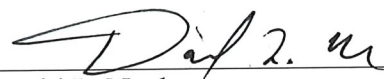
10. Applicant has previously filed an application to appear pro hac vice in the following South Carolina cases (give case name and status of litigation, dated of application, local counsel of record in each case, and state whether application is pending or was granted).

Case Name: Application of Duke Energy Progress, LLC for Adjustments in Electric Rate Schedules and Tariffs and Request for an Accounting Order  
Docket No.: 2018-318-E  
Status: Pending  
Date of application:  
Local Counsel of Record: Stinson Ferguson

11. Applicant agrees to comply with the applicable statutes, laws and rules of the State of South Carolina and will familiarize himself with and comply with the South Carolina Rules of Professional Conduct. Applicant consents to the jurisdiction of the South Carolina courts and Commission on Lawyer Conduct.

12. Applicant respectfully requests to be admitted to practice in the above-named tribunal for these cases only.

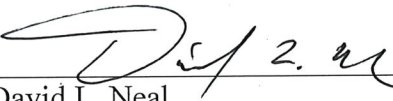
This the 13 day of February, 2019.

  
\_\_\_\_\_  
David L. Neal  
Applicant

**VERIFICATION**

STATE OF NORTH CAROLINA  
COUNTY OF Durham

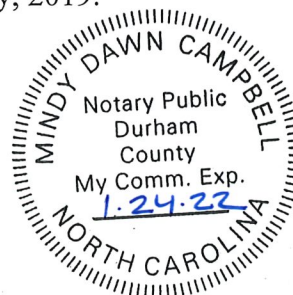
I, David L. Neal, do hereby swear or affirm under penalty of perjury that I am the applicant in the above-styled matter; that I have read the foregoing application and know the contents thereof; and that the contents are true of my own knowledge, excepts as to those matters stated on information and belief, and that as to those matters I believe them to be true. I understand that I am under a continuing duty to promptly update the information provided in the application until the tribunal has ruled on the motion for admission *pro hac vice*. Further, if the motion is granted, I understand that I am under a continuing duty to promptly update the information provided in the application as long as I continue to appear *pro hac vice* in the action or proceeding. Any updated information shall be provided to both the tribunal that granted the motion and to the tribunal in which the action or proceeding may then be pending.

  
David L. Neal  
APPLICANT/AFFIANT

Subscribed and sworn to before me this 13<sup>th</sup> day of February, 2019.


  
Mindy D. Campbell  
NOTARY PUBLIC

My Commission Expires: January 24, 2022

**LOCAL COUNSEL CONSENT**

I hereby consent, as local counsel of record, to the association of applicant in this cause pursuant to Rules Governing Admission *Pro Hac Vice* to the South Carolina Bar.

DATED this 13<sup>th</sup>, day of February, 2019.

 w/ express permission from  
Stinson Ferguson  
LOCAL COUNSEL OF RECORD Stinson Ferguson




### CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of this application upon the South Carolina Supreme Court by mail addressed to:

South Carolina Supreme Court  
Office of Bar Admissions  
PO Box 11330  
Columbia, South Carolina 29211

accompanied by payment of the \$250 filing fee payable to the South Carolina Supreme Court on

this 13 day of February, 2019.



David L. Neal  
APPLICANT/AFFIANT

# Supreme Court OF THE STATE OF NORTH CAROLINA



I, Amy L. Funderburk, Clerk of the Supreme Court of North Carolina, do hereby certify that on August 24, 2001, license to practice as an Attorney and Counselor at Law in all the Courts of this State was issued by the North Carolina Board of Law Examiners to

**DAVID LYBROOK NEAL**

according to the certified list of licentiates reported by the Secretary of said Board and filed in my office as required by statute.

To the date of this certificate, no order revoking said license has been filed with this Court and no order suspending same is in effect.

WITNESS my hand and the Seal of the Supreme Court of North Carolina at office in Raleigh, this February 5, 2019.

A handwritten signature in cursive script, reading "Amy L. Funderburk".

Amy L. Funderburk  
Clerk of the Supreme Court  
of the State of North Carolina

